

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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THE CITY OF NEW YORK,

Plaintiff,

-against-

Civ. No. 20-cv-5965 (ENV-RER)

OLD DOMINION TOBACCO COMPANY,  
INCORPORATED d/b/a ATLANTIC DOMINION  
DISTRIBUTORS,

Defendant.

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**DECLARATION OF AATIF IQBAL**

Aatif Iqbal, under penalty of perjury pursuant to 28 U.S.C. § 1746, states as follows:

1. I am an Assistant Corporation Counsel in the Office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for Plaintiff the City of New York (“City”). I make this declaration based on my personal knowledge and on the basis of the books and records of this office.

2. Attached hereto as Exhibit A is a true and correct copy of a letter dated January 9, 2023 to the City’s counsel from Atlantic Dominion’s counsel regarding the City’s privilege logs.

3. Attached hereto as Exhibit B is a true and correct copy of a letter dated January 27, 2023 to the City’s counsel from Atlantic Dominion’s counsel regarding the City’s privilege logs.

4. Attached hereto as Exhibit C is a true and correct copy of letter dated February 27, 2023 to the City’s counsel from Atlantic Dominion’s counsel regarding the City’s privilege logs.

5. Attached hereto as Exhibit D is a true and correct copy of a letter dated March 8, 2023 to the City's counsel from Atlantic Dominion's counsel regarding the City's privilege logs.

6. Attached hereto as Exhibit E is a true and correct copy of a letter dated March 22, 2023 to the City's counsel from Atlantic Dominion's counsel regarding the City's productions and privilege logs.

7. Attached hereto as Exhibit F is a true and correct copy of the privilege log found to adequately describe the nature of the privilege asserted in compliance with Local Civil Rule 26.2 in *Hasemann v. Gerber Products*, No. 15-cv-2995 (MKB)(RER), 2018 U.S. Dist. Lexis 222926 (E.D.N.Y. October 25, 2018).

8. Prior to filing the instant motion to compel, Defendant's counsel had not at any point informed the City's counsel of any concern about the fact that the City's privilege log contained some entries for "email chains" and some entries for individual emails.

9. Prior to filing the instant motion to compel, Defendant's counsel had not at any point raised the issue of non-responsive slipsheets with the City's counsel.

10. The New York City Law Department utilizes an electronic file management system called LawManager that assigns a unique number to each matter. The number assigned to this lawsuit is 2017-000153, reflecting that a matter was opened in anticipation of this litigation in 2017.

/s/ Aatif Iqbal

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AATIF IQBAL

Dated: July 21, 2023  
New York, NY